



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,352	12/12/2001	Yoshiyuki Kaniwa	JP920000349US1	8306
24852	7590	03/22/2007	EXAMINER	
INTERNATIONAL BUSINESS MACHINES CORP			AKINTOLA, OLABODE	
IP LAW			ART UNIT	PAPER NUMBER
555 BAILEY AVENUE , J46/G4			3691	
SAN JOSE, CA 95141				
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
31 DAYS		03/22/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/015,352	KANIWA ET AL.	
	Examiner	Art Unit	
	Olabode Akintola	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 December 2001.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) _____ is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) 1-24 are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Invention I: (Claims 1-2, 10-11 and 17-18) are drawn to a system and method for extracting, on a computer, a set of data from a population data group, comprising the steps of: receiving a component ratio for a plurality of attributes associated with a composition condition; determining an extractable amount for each of said plurality of attributes; calculating a target extraction amount for each of said plurality of attributes based at least partially on said component ratio; and if a corresponding target extraction amount for a given attribute, selected from said plurality of attributes, exceeds a corresponding extractable amount for said given attribute, adjusting said corresponding target extraction amount to a value that is equal to or less than said corresponding extractable amount and retaining said component ratio within a predetermined range, classified in class 705, subclass 1.

Invention II: (Claims 3-7, 12-16 and 19-23) are drawn to a system and method for extracting, on a computer system, a set of data from a population data group comprising the steps of: receiving a component ratio for each of a plurality of composition conditions; determining an extractable amount for each attribute value combination in said plurality of composition conditions; calculating a target extraction amount for each attribute value combination; and adjusting a subset of said target extraction amounts utilizing a diagonal replacing adjustment operation wherein said target extraction amount is less than or equal to said extractable amount

for each of said attribute value combinations and said component ratios are retained within a predetermined range, classified in class 705, subclass 1.

Invention III: (Claims 8-9) are drawn to a method performed by a data processing apparatus for sampling a population data group with a plurality of composition conditions including a plurality of component ratios, wherein association data, comprising at least a target extraction amount for each attribute value combination in said plurality of composition conditions, are adjusted without changing said plurality component ratios by performing the steps of: selecting four attributes, two attributes from each of two composition conditions, selected from said plurality of composition conditions, to provide four attribute value combinations of two each of said four attributes; selecting, from said four attribute value combinations, a first combination having a first attribute and a second attribute; determining, from said four attribute value combinations, a second combination having a third attribute and a fourth attribute, wherein said third attribute is not equal to said first attribute, said third attribute is not equal to said second attribute, said fourth attribute is not equal to said first attribute, and said fourth attribute is not equal to said second attribute; decreasing said target extraction amount in said association data for each of said first combination and said second combination by a predetermined value; and increasing said target extraction amount in said association data for each of a third combination and a fourth combination by said predetermined value, wherein said third combination and said fourth combination comprise the remaining two combinations from said four attribute value combinations after excluding said first combination and said second combination, classified in class 705, subclass 1.

Invention IV: (Claim 24) is drawn to a method for selecting items of loan information from a population data group residing in a sampled population database wherein said selected items of loan information form a pool of loans to be securitized, said method comprising the steps of: establishing a credit risk for said pool of loans; providing a sampling condition comprising multi-dimensional component ratios in accordance with said credit risk and a total extraction amount as the desired number of said items of loan information to form said pool of loans; and utilizing a diagonal replacing adjustment database system for the selection of said items of loan information whereby said pool of loans is formed in accordance with said credit risk and said pool of loans comprises a number of said items of loan information that is equal to or less than said total extraction amount, classified in class 705, subclass 38.

The inventions are distinct, each from the other because of the following reasons:

Inventions (I) through (IV) are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. These combinations are independent if it can be shown that (1) they are not disclosed as capable of use together, (2) they have different modes of operation, (3) they have different functions, or (4) they have different effects. (MPEP 806.04, MPEP 808.01). In the instant case, the different inventions have different modes of operation and different functions/effects.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103 (a) of the other invention.

A telephone call attempt was made on March 13, 2007 to request an oral election to the above restriction requirement, but did not result in an election being made.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA



**ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER**